

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO: 4:13-CR-28-BR

UNITED STATES OF AMERICA,

v.

LARRY D. HILL, JR.,

Defendant.

ORDER

This matter is before the court on defendant's motions to expedite his § 2241 habeas corpus proceeding, (DE # 171), to amend the presentence report ("PSR") to include a declaration regarding his drug and alcohol problems, (DE # 176), and for appointment of counsel in his § 2241 proceeding, (DE # 177).

As for the motions related to his § 2241 proceeding, the court notes that those motions contain the case number for this case. However, this criminal case is separate and distinct from defendant's § 2241 proceeding, Case No. 5:18-HC-2024-BO. As such, any motion for relief pertaining to that proceeding must be filed in *that* proceeding. Defendant's motions to expedite and for appointment of counsel are DENIED WITHOUT PREJUDICE. Defendant may refile the motions in his § 2241 proceeding, with the proper case number in the caption.

As for defendant's motion to amend the PSR, this criminal case concluded years ago. The time to submit any objection to the PSR has passed, see Fed. R. Crim. P. 32(j) ("Within 14 days after receiving the presentence report, the parties must state in writing any objections[.]"), and amendment of the PSR at this stage would be limited to clerical errors, see United States v.

Blackmon, 698 F. App'x 113-14 (4th Cir. 2017) (per curiam), which information about drug and alcohol use obviously is not. The motion to amend the PSR is DENIED.

This 2 October 2018.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge